

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 25 July 2003, in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. ET312632011US addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Todd E. Garabedian  
Name of Person Mailing Paper

Todd E. Garabedian  
Signature of Person Mailing Paper

08306 U.S. PTO  
10/627014  
07/25/03

APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53

Transmitted herewith for filing under 37 C.F.R. § 1.53 is the patent application of:

Inventor(s): **Anthony H. Cincotta**

for:

**THERAPEUTIC TREATMENT FOR THE METABOLIC SYNDROME  
AND TYPE 2 DIABETES**

1. Type of Application

☒ Original    ☐ Continuation    ☐ Divisional    ☐ Continuation-In-Part

2. Benefit of Prior Foreign Application(s) (35 U.S.C. § 119 a-d)

☐ The new application being transmitted claims the benefit of  
☐ prior foreign application serial no. \_\_\_\_\_, filed on  
\_\_\_\_\_, in \_\_\_\_\_ (country); or  
☐ PCT international application designating at least one country  
other than the U.S. application Serial no. \_\_\_\_\_, filed on  
\_\_\_\_\_.

A certified copy is ☐ enclosed or ☐ on file in the prior application.

3. Benefit of Prior U.S. Application(s) (35 U.S.C. § 120 and/or § 119(e))

☒ The new application being transmitted claims the benefit of prior  
co-pending U.S. application(s):

Serial No. 60/399,180, filed on July 29, 2002.

4. Papers Enclosed Which Are Required for Filing Under 37 C.F.R. § 1.53(b)

[8]	page(s) of Specification
[4]	page(s) of Claims, having <u>20</u> claims, including <u>5</u> independent and <u>15</u> dependent claims
[1]	page(s) of Abstract
[0]	sheet(s) of <input type="checkbox"/> formal <input type="checkbox"/> informal Drawings

5. Additional Papers Enclosed

- ☐ Preliminary Amendment  
☒ Information Disclosure Statement  
☒ Form PTO-1449  
☒ Copies of Cited Art  
☒ Other: Return Receipt Postcard

Declaration

6. An oath/declaration is ☒ enclosed ☐ not enclosed. (Unsigned)

7. Assignment

☐ Enclosed is a recordation form and an assignment of the invention to \_\_\_\_\_.

8. Small Entity Status

☒ Applicant claims small entity status.

9. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS FILED					
	Number Filed	Number Extra	Rate	Basic Fee	\$ 750.00
Total Claims	20	-20	-0-	\$18.00	\$ 0.00
Independent claims	5	-3	-2-	\$84.00	\$ 168.00
Multiple Dependent claims, if any:				\$ 0.00	\$ 0.00
Total					\$ 918.00
Reduction for small entity by 50%					\$ 459.00
TOTAL FILING FEE					\$ 459.00

10. Method of Payment of Fees

- ☐ Check in the amount of \$  
☒ Charge Account No. 23-1665 in the amount of \$459.00.

11. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Account No. 23-1665.

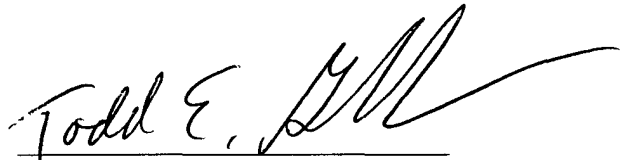
12. Correspondence

Please address all correspondence to:

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**Customer No:**

**27267**



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Date: 25 July 2003